UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

THE HONORABLE STEPHEN V. WILSON, DISTRICT JUDGE PRESIDING

FAIZ NUR,

Plaintiff,

vs.

No. CV 15-94-SVW

THE TATITLEK CORPORATION, INC.,)
et al.,

Defendants.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOS ANGELES, CALIFORNIA

MONDAY, DECEMBER 7, 2015

DEBORAH K. GACKLE, CSR, RPR United States Courthouse 312 North Spring Street, Room 402A Los Angeles, California 90012 (213) 620-1149

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APPEARANCES OF COUNSEL:
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          For the Plaintiff:
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               Phillips Dayes National Employment Law Firm PC
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LOS ANGELES, CALIFORNIA; MONDAY, DECEMBER 7, 2015; 3:40 P.M.
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 4
               THE CLERK: Item 7, CV 15-94-SVW, Fiez Nur, et al
 5
     versus Tatitlek corporation.
 6
               Counsel, please state your appearances.
 7
               MR. DAYES: Good afternoon. Trey Dayes appearing on
 8
     behalf of plaintiffs.
 9
               MR. GIOVANNONE: Good afternoon. John Giovannone on
10
     behalf of Tatitlek Support Services, Inc. and GeoNorth.
11
               THE COURT: Okay.
12
               This matter is before the court because the parties
     requested a deferral of the ruling on the pending summary
13
14
     judgment motions. Because the parties may engage in mediation.
15
     I'm not of the mind to delay decisions on a hope, a wish and a
16
     prayer. So where are we here?
17
              MR. GIOVANNONE: Thank you, Your Honor.
18
               On Thursday of last week, we actually filed a notice
19
     with the court -- that I'm not sure if it made its way to your
20
     desk -- that we actually have scheduled a mediation for
21
     February 5th --
22
               THE COURT: I see.
23
               MR. GIOVANNONE: -- with David Rotman, very
     experienced wage and hourly mediator.
24
25
               MR. DAYES: That's correct, Your Honor.
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1
               THE COURT: And you've asked me not to show my hand
 2
     in any way so I won't, but there are serious issues, without
 3
     making any indication involved, and I haven't reached a firm
 4
     conclusion, although prior to being informed of this mediation,
 5
     naturally the court was looking into the issues.
 6
               So you both strike me as being experienced lawyers
 7
     who undoubtedly know their case a lot better than I do at this
 8
     point.
 9
               Without making any commitment, which you can't, but
10
     what are the prospects?
11
               MR. DAYES: Your Honor, I believe the prospects are
12
     good of obtaining a settlement. Obviously we can't make a
13
     promise, but we came together rather quickly, and we feel
14
     really good about the mediator; he seems very experienced.
15
                           I don't know him. First I thought it was
               THE COURT:
16
     a retired superior court judge in Santa Monica that I knew many
17
     years ago, David Rothman, but this is David Rotman,
18
     R-o-t-m-a-n.
19
               MR. DAYES:
                          That's correct, Your Honor.
20
               THE COURT: And is he a retired judge, or is he a
21
     lawyer specializing in this area?
22
               MR. GIOVANNONE: If I may, Your Honor, he is a lawyer
23
     specializing in this particular area and, in fact, has been
     doing it longer than I had been in the practice of law.
24
25
               THE COURT: And he still practices, or is he
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1
     exclusively a mediator now?
              MR. GIOVANNONE: Exclusively a mediator.
 3
               THE COURT: I see. And is he part of any of these
 4
     groups, or is he just on his own?
 5
              MR. GIOVANNONE: He is in a three-person partnership
     that does exclusively mediation services. Each of his two
 6
 7
     partners has a different area of specialty. He is their wage
 8
     and hour guru. He's about as well respected as you can be in
 9
     the area.
10
               THE COURT: Do you agree with that?
11
              MR. DAYES: I do, Your Honor.
12
              THE COURT: Yeah.
13
              And the mediation is February 5th. Well, that means
14
     that there is also a motion for class certification in January.
15
               Do you want me to put that off, too, until the
16
    mediation is resolved?
17
              MR. GIOVANNONE: I believe you have. There was a
18
     stipulation to take the hearing off.
19
               THE COURT: I see. All right. Here's what I'll do.
20
     February 5th is what day of the week?
21
              MR. GIOVANNONE: That is a Friday, Your Honor.
               THE COURT: Then I'll schedule a further status
22
23
     conference not the following Monday but the Monday after that.
               THE CLERK: The 16th?
24
25
               THE COURT: Let's say at 11:45.
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1
               So if we have a jury trial ...
 2
               THE CLERK: 11:45. Further status conference will be
 3
     February 16th at 11:45.
 4
               THE COURT: I hope you have success.
 5
               MR. GIOVANNONE: Thank you, Your Honor.
               MR. DAYES: Thank you, Your Honor.
 6
 7
 8
                 (Proceedings concluded at 3:50 p.m.)
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               I hereby certify that pursuant to Section 753,
     Title 18, United States Code, the foregoing is a true and
 4
 5
     correct transcript of the stenographically reported proceedings
    held in the above-entitled matter and that the transcript page
 6
 7
     format is in conformance with the regulations of the Judicial
     Conference of the United States.
 8
 9
10
      Date: December 21, 2015
11
                        /S/_____
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                              Deborah K. Gackle
                                 CSR No. 7106
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